

STATE OF CALIFORNIA  
ENVIRONMENTAL PROTECTION AGENCY  
DEPARTMENT OF TOXIC SUBSTANCES CONTROL

In the Matter of:

Starlite Reclamation  
Environmental Services Inc.  
229 North Laurel Avenue  
Ontario, CA 91762

EPA ID CAL000063809

Respondent.

Docket # HWCA20020013  
STIPULATION AND ORDER

Health and Safety Code  
Section 25187

The State Department of Toxic Substances Control  
(Department) and Starlite Reclamation Environmental Services  
Inc. (Respondent) enter into this Stipulation and Order (Order)  
and agree as follows:

1. A dispute exists regarding the Enforcement Order  
issued by the Department on June 13, 2002. (Attached as Exhibit  
1.)

2. The parties wish to avoid the expense of further  
litigation and to ensure prompt action to achieve the Schedule  
for Compliance below.

3. Jurisdiction exists pursuant to Health and Safety  
Code section 25187.

4. Respondent waives any right to a hearing in this  
matter. Respondent does not admit liability in this matter.

5. This Order shall constitute full settlement of the  
violations alleged in the Enforcement Order.

6. Respondent shall pay a total of \$7,000.00,

1 **reimbursement of the Department's costs.** The payments shall be  
2 paid in two (2) equal installments of \$3,500.00. The two  
3 Payment installments are due and payable on December 15, 2002  
4 and January 15, 2003. Respondent shall pay an additional \$250.00  
5 for each installment payment that is overdue and such additional  
6 \$250.00 is due no later than January 15, 2003 and January 31,  
7 2003. **The payment shall constitute full payment for the**  
8 **violations referred to in the Enforcement Order.**

9 Respondent's check shall be made payable to Department of  
10 Toxic Substances Control, and shall be delivered together with  
11 the attached Payment Voucher to:

12 Department of Toxic Substances Control  
13 Accounting Office  
1001 I Street  
14 P. O. Box 806  
Sacramento, California 95812-0806

15 A photocopy of the check shall be sent:

16 Robert Kou, Unit Chief  
Statwide Compliance Division  
17 Department of Toxics Substances Control  
1011 North Grandview Avenue  
18 Glendale, California 91201

19 If Respondent fails to make the payments as provided above,  
20 Respondent agrees to pay interest at the rate established  
21 pursuant to Health and Safety Code section 25360.1 and to pay  
22 all costs incurred by the Department in pursuing collection  
23 including attorney's fees.

24 7. Respondent shall send Chris Jaramillo to the  
25 California Compliance School to complete the hazardous waste  
26 generator's training, Modules 1-IV. Respondent must submit a  
27 Certificate of Satisfactory Completion issued by the California  
28 Compliance School to the Department within 180 days of effective

1 date of this Order. However, if Respondent fails to submit the  
2 Certificate as required, an additional penalty of \$3,000 is due  
3 and payable to the Department within 30 days after the 180-day  
4 period expires. The 180-day period may be extended by a Branch  
5 Chief of the Department upon a written request demonstrating  
6 good cause from the Respondent. Respondent's check for the  
7 additional \$3,000 shall be made payable to Department of Toxic  
8 Substances Control, and shall be delivered together with the  
9 attached Payment Voucher to:

10 Department of Toxic Substances Control  
11 Accounting Office  
12 1001 I Street  
P. O. Box 806  
Sacramento, California 95812-0806

13 A photocopy of the check shall be sent:

14 Robert Kou, Unit Chief  
15 Statwide Compliance Division  
16 Department of Toxics Substances Control  
1011 North Grandview Avenue  
Glendale, California 91201

17 If Respondent fails to make the payment of \$3,000 as provided  
18 above, Respondent agrees to pay interest at the rate established  
19 pursuant to Health and Safety Code section 25360.1 and to pay  
20 all costs incurred by the Department in pursuing collection  
21 including attorney's fees.

22 8. Additional Enforcement Actions: By agreeing to  
23 this Order, the Department does not waive the right to take  
24 further enforcement actions, except to the extent provided in  
25 this Order.

26 9. Penalties for Noncompliance: Failure to comply  
27 with the terms of this Order may subject Respondent to civil  
28 penalties and/or punitive damages for any costs incurred by the

1 Department or other government agencies as a result of such  
2 failure, as provided by Health and Safety Code section 25188 and  
3 other applicable provisions of law.

4 10. Parties Bound: This Order shall apply to and be  
5 binding upon Respondent and its officers, directors, agents,  
6 receivers, trustees, employees, contractors, consultants,  
7 successors, and assignees, including but not limited to  
8 individuals, partners, and subsidiary and parent corporations,  
9 and upon the Department and any successor agency that may have  
10 responsibility for and jurisdiction over the subject matter of  
11 this Order.

12 11. Effective Date: The effective date of this Order  
13 is the date it is signed by the Department.

14 12. Integration: This agreement constitutes the entire  
15 agreement between the parties and may not be amended,  
16 supplemented, or modified, except as provided in this agreement.

17

18 Dated: 1/28/2003

19

ORIGINAL SIGNED BY RESPONDENT  
Signature of Respondent's  
Representative

20

21

22 Dated: 01/28/2003

23

ORIGINAL SIGNED BY PRESIDENT  
Typed or Print Name and Title of  
Respondent's Representative

24

25

26 Dated: 02/18/2003

27

ORIGINAL SIGNED BY ROBERTO KOU

28

Department of Toxic Substances  
Control